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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/677,006	09/30/2003	Wei Gao	SLA0805	7274	
55286	7590 08/02/2006		EXAMINER		
SHARP LABORATORIES OF AMERICA, INC.			LOKE, STEV	LOKE, STEVEN HO YIN	
C/O LAW OFFICE OF GERALD MALISZEWSKI P.O. BOX 270829			ART UNIT	PAPER NUMBER	
SAN DIEGO), CA 92198-2829		2811		
				DATE MAILED: 08/02/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/677,006	GAO ET AL.	
Examiner	Art Unit	
Steven Loke	2811	

—The MAILING DATE of this communication appears on the cover shoot with the correspondence address — THE REPLY FILED 24_July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ◎ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavir, or other evidence, which places the application in condition for allowance, (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (1) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ◎ The period for reply expires 3_months from the mailing date of the final rejection. b) □ The period for reply expires 3_months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, overn, however, will the statutory period for reply expire stater than Stx MONTHS from the mailing date of the final rejection. Examiner Note: if box 15 checked, check either box (3) or (6). ONLY CHECK BOX (b) WHEN THE FIRST REPLY THE FIR		Steven Loke	2811					
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this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.13; or (1) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires 2 months from the mailing date of the final rejection. b) The period for reply expires 2 months from the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later, no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: (1box 1.5 schecked, check either box (3) or (1), ONLY CHCK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if time the mailing date of the final rejection, even if time the mailing date of the final rejection, even if time the mailing date of the final rejection of the final rejection of Appeal was file	THE REPLY FILED <u>24 July 2006</u> FAILS TO PLACE THIS APPI	LICATION IN CONDITION FOR AL	LOWANCE.					
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have been filed is the date for purposes of determining the period of extension and the corresponding amount of the feet. The appropriate extension in funder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final office action; or (2) set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely file may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(e)), to avoid dismissal of the date filing the Notice of Appeal (37 CFR 41.37(a)). A proposed amount of the date of file of the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDIAENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has so vercome the following rejection(s):	TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	06.07(f).						
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because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary at was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:								
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10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).	entered because the affidavit or other evidence failed to	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a				
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).		on of the status of the claims after e	ntry is below or attac	hed.				
		ut does NOT place the application i	n condition for allowa	nce because:				
		(PTO/SB/08 or PTO-1449) Paper N	No(s)					
Steven Loke Primary Examiner								

Hom Loke

Continuation Sheet (PTO-303)

Application No. 10/677,006

Continuation of 3. NOTE: Claims 2-4 and 13-15 would require further consideration and/or search.